

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

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RAFAEL MORELL,

v.

UNITED STATES OF AMERICA.

CASE NUMBER: 98-1033 (DRD)

ORDER

On July 17, 2001, the Court issued an order which in pertinent part states

"The last docket entry in this case was the Minutes of Proceedings of a settlement conference held on February 6, 2001 with Judge Ward (more than five months ago). (Docket No. 56). The minutes in pertinent part state that "[i]f plaintiff can establish damages equal to or exceeding \$10,000, this case is to be settled for \$10,000. Counsel to report to Judge Dominguez by March 16, 2001." The record does not show another docket entry for the last five months. In addition, the parties have not informed the Court is a settlement has been reached. Therefore, the Court hereby **ORDERS** Plaintiff to **SHOW GOOD CAUSE by Friday, July 27, 2001 at 5:00 p.m.**, why this case should not be dismissed for lack of prosecution. Failure to demonstrate exceptionally good cause for Plaintiffs' lack of prosecution shall result in dismissal of this case. **NO EXTENSIONS SHALL BE GRANTED.**"

Docket No. 57.

Plaintiff filed a timely Motion in Compliance with Court Order (Docket No. 58) stating that for the last six months, counsel for plaintiff has engaged in settlement related conversations and sent various settlement related documents to counsel for defendant, but that his efforts to reach an agreement have not been fruitful. In addition, plaintiff requests the Court to schedule the above captioned case for trial, in light of the fact that settlement has not been reached. This case is ripe for trial proceedings to commence. Therefore, the Court will grant the United States a period of **ten (10) days** to inform the Court of the status of the case, **particularly as to the unopposed settlement offers**. If there is no possibility of settlement, this case will be scheduled for trial with a visiting Judge. *This order is to be sent via fax and conveyed over the phone to all counsel in this case.*

IT IS SO ORDERED.

Date: August 20, 2001

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**DANIEL R. DOMINGUEZ
U.S. District Judge**

Rec'd:

EOD:

By:

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